

Gill's ofc at ABC rifled and casettes stolen 10Aug73; He'd been looking into Erwin Comte subpoena for Rebozo. See NY Times, WX Post for 23Aug73, and WXPost 31Aug73, case closed when cops blamed it on teenagers. (!)

NY Times

117

THE NEW YORK TIMES

## ABC and Ex-Reporter in Dispute Over Nixon Link

By MARTIN ARNOLD

The American Broadcasting Company is involved in a dispute with its former White House correspondent over whether the network kept too close liaison with the White House during the Presidency of Richard M. Nixon.

The dispute is between the network and Bill Gill, its former White House correspondent, who last spring filed a \$3-million breach of contract suit against the network after he was dismissed.

The suit, filed in the United States District Court in Washington, alleges a number of contractual breaches by the network in its contract with Mr. Gill, including the allegation that ABC compromised some of Mr. Gill's new sources.

Yesterday, William Sheehan, president of ABC News, declined to comment on the suit directly, saying it was in the courts, but he denied that the network had maintained too much liaison with the White House. "It's flat out not true," he said of the charge.

Mr. Gill said yesterday that Howard K. Smith, the ABC broadcaster, maintained this alleged close liaison with the Nixon White House on a news article concerning the Central Intelligence Agency's involvement with the overthrow of Ngo Dinh Diem, the South Vietnamese President at that time. The story had been uncovered by Mr. Gill.

The alleged Smith liaison with the White House is not now part of Mr. Gill's lawsuit against the network, but yesterday Mr. Gill said it would probably become part of the suit.

According to Mr. Gill, he has personally seen a memorandum written in December, 1971, by Charles W. Colson, then White House counsel, to H. R. Haldeman, then White House chief of staff.

Mr. Gill said that in the memorandum Mr. Colson wrote that Henry A. Kissinger had asked Mr. Smith and told him about the C.I.A. story Mr. Gill was working on and that Mr. Kissinger said he did not want the story to become public. Mr. Kissinger, now secretary of State, at the time was head of the National Security Council.

According to Mr. Gill,

memorandum goes on to say that Mr. Smith called Mr. Colson, after hearing from Mr. Kissinger, and told him that ABC was not planning to use the C.I.A. story.

Mr. Smith said yesterday that "I never kept anything off the air. I didn't have the authority to do so. I never killed any story by Gill or anyone else."

"If Colson wrote that memo, and I assume he did since they have it he was making it up," Mr. Smith said. "I kept in occasional touch with Colson, just as other reporters did, because he was running the Presidential campaign, but I never told him that I kept a Gill story off the air. The authority of an anchorman is highly exaggerated in the public. The news decisions are made by producers and news editors." July, 1971, that Mr. Smith casually mentioned that Mr. Gill was working on the C.I.A. story and that either at the lunch or during a subsequent phone conversation Mr. Smith "never raised the question of holding the story."

### Links Denied

Mr. Sheehan said that it was common practice for reporters to discuss questions with Mr. Colson and that neither Mr. Colson nor any ABC official had any relationship with the Nixon White House.

Mr. Sheehan said that the story "doesn't

make any sense" since "he wasn't even in Government" when the Diem coup occurred in 1963.

The Watergate special prosecutors office declined to comment on the alleged Smith-Colson liaison, but a source in the office, who worked on the Watergate investigation, said the matter was "never one of serious investigation."

There is, however, in existence a tape-recording between Mr. Colson and Richard Bast, a private investigator Mr. Colson hired during the Watergate investigation. It was taped on May 31, 1973, and in it Mr. Colson says that Mr. Smith told him that "Gill is a patriot, and if it is that important to Kissinger, we [ABC] will stay away" from the story.

In its lawsuit against ABC, one of Mr. Gill's allegations is that the network compromised his news sources by attempting to share information with The New York Times that he had gathered on an entirely different news story.

In answer, David Jones, national news director of The Times, said, "ABC approached us in 1973 with some information on a possible story involving President Nixon's campaign funds and asked if we were interested in pursuing it. We talked with their people, decided to look into the story, and did not do it."